

871DIVCON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:) Group Art Unit: 1711
Sulc et al)
Serial No:10/657,438) Examiner: ASINOVSKY, OLGA
Filed: September 8, 2003)
For: OPHTHALMIC LENSES AND COMPOSITIONS
AND METHODS FOR PRODUCING SAME

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or before

December 23, 2004
Date
Janet McGhee

LETTER TRANSMITTING TERMINAL DISCLAIMER

Commissioner for Patents
PO BOX 1405
ALEXANDRIA, VA 22313-1450

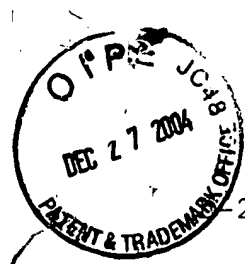
Dear Sir:

Submitted herewith is a Terminal Disclaimer and a check for the required fee of \$130, in the above-identified application. Authorization is hereby given to charge Deposit Account No. 21-0890 for any deficiency or credit any overpayment.

Respectfully submitted,

Frank J. Uxa
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Group Art Unit: 1711
Examiner: ASINOVSKY, OLGA

TERMINAL DISCLAIMER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Your petitioner, Ocular Sciences, Inc., having its principal place of business at 1855 Gateway Boulevard, Suite 700, Concord, CA 94520, by its attorney, FRANK J. UXA, of record in the above-identified application, represents that it is the assignee, as shown by the assignment recorded in the U.S. Patent and Trademark Office on April 18, 2000 at Real/Frame 010733/0015 of the entire right, title and interest in and to the above-identified application.

Pursuant to 37 CFR 3.73(b), your petitioner, as assignee of the above-identified application, hereby states that the above-noted assignment, the evidentiary document on which ownership of the above-identified application is established, has been reviewed. Further, your petitioner hereby certifies that, to the best of your petitioner's knowledge and belief, title to the above-identified application is in your petitioner, as assignee seeking to take the action in this Terminal Disclaimer.

Your petitioner, Ocular Sciences, Inc., hereby disclaims the terminal part of any United States patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the United States Patent 6,372,815, and

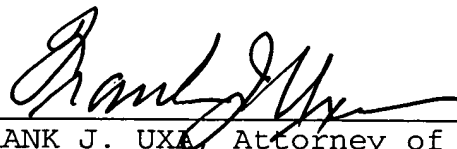
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hereby agrees that any United States patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to the United States Patent 6,372,815, this agreement to run with any patent granted on the above-identified application and be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the United States Patent 6,372,815, in the event that said United States Patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated this 23rd day of December, 2004.

Respectfully submitted,



FRANK J. UX~~A~~, Attorney of Record
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